

1 JON MICHAELSON (SBN 83815)
2 BEN BEDI (SBN 172591)
2 **KIRKPATRICK & LOCKHART PRESTON**
3 **GATES ELLIS LLP**
4 630 Hansen Way
Palo Alto, California 94304
Telephone: 650.798.6700
Facsimile: 650.798.6701

5 KEVIN W. KIRSCH (SBN 166184)
6 DAVID H. WALLACE, *pro hac vice pending*
7 DAVID A. MANCINO, *pro hac vice pending*
7 STEPHAN H. JETT, *pro hac vice pending*
8 **TAFT, STETTINIUS & HOLLISTER, LLP**
425 Walnut Street, Suite 1800
Cincinnati, OH 45202
Telephone: (513) 381-2838.
Facsimile: (513) 381-0205

10 Attorneys for Defendant
11 TESSERON, LTD.

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 **SAN JOSE DIVISION**

16 ELECTRONICS FOR IMAGING, INC.,

17 Case No. CV07-5534 RS

18 Plaintiff,

PROOF OF SERVICE

19 vs.

[Assigned to Honorable Richard Seeborg]

20 TESSERON, LTD.,

21 Defendant.

Hearing Date: January 16, 2008
Time: 9:30 a.m.

22 I am employed in the county of Santa Clara, State of California. I am over the age of 18 and not a
23 party to the within action; my business address is **Kirkpatrick & Lockhart Preston Gates Ellis**
LLP, 630 Hansen Way, Palo Alto, California 94304.

24 On December 10, 2007, I served the following document(s):

25 **NOTICE OF MOTION AND MOTION OF TESSERON, LTD. TO DISMISS OR,**
IN THE ALTERNATIVE, TO TRANSFER VENUE

26 **MEMORANDUM IN SUPPORT OF DEFENDANT TESSERON, LTD'S MOTION**
TO DISMISS OR, IN THE ALTERNATIVE, TO TRANSFER VENUE

28 **CERTIFICATION OF INTERESTED ENTITIES OR PERSONS PURSUANT TO**
LOCAL RULE 3-16

1 together with an unsigned copy of this declaration, on all interested parties in this action by placing a
2 true copy thereof enclosed in a sealed envelope(s) addressed and sent as follows:

3 **Russell B. Hill**
4 **Jesse D. Mulholland**
5 **Elizabeth Yang**
6 **Howrey LLP**
7 **2020 Main Street, Suite 1000**
8 **Irvine, CA 92614-8200**

9 [] **BY MAIL (By Following Office Business Practice):** I am readily familiar with this firm's
10 practice of collection and processing correspondence for mailing. It is deposited with the
11 U.S. Postal Service on that same day in the ordinary course of business. I placed such
12 envelope(s) for collection and mailing on that date following ordinary business practice.

13 [] **BY FACSIMILE:** The recipient(s) have confirmed in writing that service by facsimile is
14 acceptable to them. I transmitted the documents listed above by facsimile transmission to the
15 facsimile number of the offices of the addressee(s) as indicated above.

16 [X] **BY PERSONAL SERVICE:** I caused such envelope to be hand-delivered to the offices of
17 the addressee(s) as indicated above. A proof of service will be executed by process server
18 upon completion.

19 [] **BY ELECTRONIC MAIL:** I am personally and readily familiar with the business practice
20 of the firm for the preparation and processing of documents in portable document format
21 (PDF) for e-mailing. I prepared said document(s) in PDF and then caused such documents to
22 be served by electronic mail to the above addressees.

23 I declare under penalty of perjury under the laws of the State of California that the above is
24 true and correct.

25 Executed on December 10, 2007, at Palo Alto, California.

26 
27 _____
28 **Jennifer Smith**